

Plaintiffs' Exhibit 3  
(Part 3 of 3)

*Exercise Room bath:*

- Underlayment for tile
- Shower rods
- Clean faucet as u reset it
- Clean commode before reset

*Right Rear bedroom:*

- Door is a 36" solid, painted, door with 4 gold hand and kick plates, handi-cap locksets and dead bolts. The allowance in the estimate needs to be reviewed.
- Base trim that is wood is 6", estimate price is for standard. Also there is a 4" carpet base trim as a second layer. This was to protect from wheel chair markings.
- Draperies were not considered as building unless they were permanently fixed to the building and matched the décor as if they were made for the room. This room had 2 cloth blinds and valance that matched the above description. These are not on our contents presentation.

*Common Area:*

- Door is a 36" solid, painted, door with 4 gold hand and kick plates, handi-cap locksets and dead bolts. The allowance in the estimate needs to be reviewed.
- Base trim that is wood is 6", estimate price is for standard. Also there is a 4" carpet base trim as a second layer. This was to protect from wheel chair markings.
- Draperies were not considered as building unless they were permanently fixed to the building and matched the décor as if they were made for the room. This room had 3 cloth blinds and valance that matched the above description. These are not on our contents presentation.

*Common Bathroom:*

- How do we expose the smoke in the pipe chasing if we are not removing some of the wall tile. Please explain your repair. What sheet rock is being replaced?
- Clean commode before reset

*Steps to second floor:*

- Not in agreement with partial walls
- Not in agreement with refinishing windows
- There is 9.7 feet of hand painted stencil on front exterior landing wall.

*2<sup>nd</sup> Floor Hall:*

- Scaffold required for cathedral ceiling.

*Right Side bedroom:*

- Wallpaper border missing
- Floor warrants replacement

*Front Bedroom:*

- Atrium window with half circle
- Floor warrant replacement

*Master Bedroom:*

- Faux paint on wall. Looks to be a 4 apply system
- Wall paper border
- Draperies were not considered as building unless they were permanently fixed to the building and matched the décor as if they were made for the room. This room had 2 cloth blinds and valance that matched the above description. These are not on our contents presentation.
- French door to patio not addressed.

*Master Bath/Vanity:*

- Vanity is 6 lf long.

*Master Bathroom:*

- Underlayment required
- Clean commode before reset
- Bath accessories there are 2

*Hall Bath:*

- Underlayment

*Electrical:*

- No allowances for the emergency nurse call system in the handicap unit.

*Plumbing:*

- Fixture allowance?

*Misc:*

- Repair time estimated at 26 weeks. Porta-toilet rental 26 weeks.
- Tax on job for labor and material.
- Engineering and architect fees usually run about 4-6% of the job.

*Points of concern:*

I believe the policy calls for code upgrades. At this time I am unaware of any. If Amica or their representatives do, please note them. I reserve the rights under the terms and conditions of the policy of some should arise during construction.

Geo- Thermal should be tested.

Please give me a call once you had an opportunity to review.

Sincerely,

Anthony N. Parise, CIC, CPCU, AIC

AM725

Amica Mutual Insurance Company  
Amica Life Insurance Company  
Amica General Agency, Inc.

SBURGH REGIONAL OFFICE  
1500 Corporate Drive, Suite 250  
Canonsburg, Pennsylvania 15317-8574

Toll Free: 888-67-AMICA (888-672-6422)  
Fax: (724) 745-2133

August 13, 2003

T. Warren Jones, Esq.  
MacDonald, Illig, Jones & Britton, LLP  
100 State Street, Suite 700  
Erie, PA 16507-1459

Our File No.: F30200301218  
Our Insured: Jonathan Borden  
Date of Loss: February 16, 2003

Dear Mr. Jones:

Enclosed is a copy of the estimate prepared by G. S. Jones. G. S. Jones estimates the repairs to the dwelling in the amount of \$540,788.42. The landscaping damage is estimated at \$1,815.00 for a total estimate of \$542,598.42.

I have enclosed a check for \$154,508.92 which represents the Actual Cash Value of the repairs less our prior payment of \$295,098.92. This is based on the enclosed G. S. Jones schedule of depreciation. Once repairs are completed, we will issue a check for the amount of the withheld depreciation.

Also enclosed is a check for \$1,815.00 for the landscape repairs.

Please let me know if you have any questions or concerns with the estimate prepared by G. S. Jones.

Mold was discovered by G. S. Jones on the underside of the far right side rear roof slope deck. It is his opinion that this condition pre-existed the fire, is unrelated to the loss, and is due to the accumulation of unvented moisture on this slope over time.

Please refer to Pages 10 and 11 of 26 of the HO-5 (4/01) Homeowners Policy, **SECTION I - PERILS INSURED AGAINST**, which state:

We insure against risk of direct physical loss to property described in Coverage A, B and C.

We do not insure, however, for loss:



Web Site: [www.amica.com](http://www.amica.com)  
Offices Countrywide: 800-24-AMICA (800-242-6422)

AM627

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Page 2  
T. Warren Jones

A. Under Coverage A, B and C:

2. Caused by:

d. Mold, fungus or wet rot....

Please also refer to Pages 13 and 14 of 26 of the H0-5 (4/01) Homeowners Policy,  
**SECTION I - EXCLUSIONS**, which state:

B. We do not insure for loss to property described in Coverages A and B caused by any of the following. However, any ensuing loss to property described in Coverages A and B not precluded by any other provision in this policy is covered.

3. Faulty, inadequate or defective:

b. Design, specifications, workmanship, repair, construction, renovation, remodeling, grading, compaction:

of part or all of any property whether on or off the residence premises.

I have enclosed copies of the Homeowners policy for your review.

Based on this, there is no coverage for this mold damage. If you are able to provide any information which may alter our conclusion, we will give the matter our further review.

Please call if you have any questions concerning this matter.

Very truly yours,

David J. Bennett, CPCU  
Branch Manager  
Amica Mutual Insurance Company

cc: Dr. Jonathan and Mrs. Amy Borden  
4838 Wolf Road  
Erie, PA 16505